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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Revision of the Commission's Rules)

To Ensure Compatibility with)

Enhanced 911 Emergency Calling Systems)

CC Docket No. 94-102
RM-8143

To: The Commission

DOCKET FILE COPY ORIGINAL

FURTHER COMMENTS OF NEXTEL COMMUNICATIONS, INC.

NEXTEL COMMUNICATIONS, INC.

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Dated: September 25, 1996

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I. INTRODUCTION

Pursuant to Section 1.415 of the Rules of the Federal Communications Commission ("Commission"), Nextel Communications, Inc. ("Nextel") respectfully submits these Comments on the Commission's Further Notice Of Proposed Rule Making ("FNPRM") in the above-referenced docket.^{1/}

In the FNPRM, the Commission proposes further Enhanced 911 ("E911") requirements for Commercial Mobile Radio Services ("CMRS") to ensure that 911 and E911 services are "as widely available as possible."^{2/} By taking immediate action to propose more rigorous E911 requirements, the Commission believes it can "spur improvements in the features and delivery of these services."^{3/}

Nextel supports the Commission's overall goal of ensuring that E911 services are widely available to all telecommunications users. However, Nextel does not agree with the Commission's conclusion

^{1/} First Report and Order and Further Notice Of Proposed Rule Making, CC Docket No. 94-102, FCC 96-24, released July 26, 1996.

^{2/} FNPRM at para. 133.

^{3/} *Id.*

that it should propose further requirements at this time. The industry has yet to determine how it will implement the Commission's recently adopted Phase I requirements; it is premature to consider more rigorous requirements.

II. DISCUSSION

In the First Report and Order in this proceeding,^{4/} the Commission required that CMRS carriers, including "covered Specialized Mobile Radio ("SMR") providers," be able to locate a caller making a 911 call from a wireless device. Within five years, CMRS carriers must have the capability to pinpoint the wireless caller's location within 125 meters of its actual location in 67% of all cases.^{5/}

In the FNPRM, the Commission proposes to increase the accuracy of this location requirement by mandating location within 40 feet at a 90% accuracy level.^{6/} Because the industry has yet to determine how it will fulfill the 67%/125 meter requirement, this more rigorous requirement is premature. The Commission should not be raising the hurdles before the industry has found a reliable, efficient cost-effective means to clear the existing ones.

Precise location capabilities are a laudable goal, would produce desirable benefits, and should improve the usefulness of E911 services. The industry, moreover, has generally supported the Commission's goals of promoting wireless E911 capabilities, and has

^{4/} First Report and Order, *supra*. at fn. 1.

^{5/} *Id.* at para. 71.

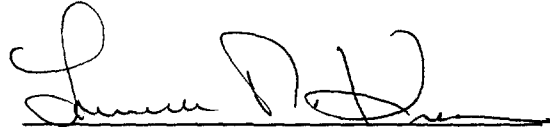
^{6/} FNPRM at para. 139.

already started working toward a solution for the recently-imposed requirements. However, since the industry has yet to resolve its immediate location technology issues, it is premature to mandate more rigorous location requirements.

Moreover, once the industry does find a solution to the current mandate, timely implementation of that technology may result in an evolution to the tighter location standards. For these reasons, Nextel believes it is premature to propose tighter location requirements.

Respectfully submitted,

NEXTEL COMMUNICATIONS, INC.

A handwritten signature in dark ink, appearing to read 'Robert S. Foosaner', is written over a horizontal line.

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